



Overview of FMS Provider Requirements

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Home and Community Based Services
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Required Policies and Procedures

- ▶ FMS providers are required to have comprehensive policies and procedures, as detailed in the manual, include, but are not limited to:
 - Policies and procedures for billing Medicaid, in accordance with approved rates, for services authorized on the ISP/POC;
 - Policies and procedures for billing FMS administrative fees

P&P continued:

- Policies and procedures to receive and disburse Medicaid funds, track disbursements, and provide reports, including, but not limited to:
 - Reports to participants for billing/disbursements on their behalf
 - Reports to the State of Kansas, as requested
- Policies and procedures to ensure proper/appropriate background checks are conducted on all individuals (FMS providers and DSWs) in accordance with program requirements; and

P&P continued:

- Policies and procedures to ensure participants follow the pay rate reimbursement limits when setting DSWs' pay rates;
 - Clear identification of how this will occur
 - Prohibition of wage/benefit setting by FMS provider; and
 - Prohibition of “recruitment” of self-direct individuals (HCBS waiver participant and/or DSW Staff) by enticements or promises of better wages and/or benefits through improper use of Medicaid funds.

P&P continued:

- Policies and procedures to ensure proper/appropriate processing of time worked, disbursing of pay checks, filing of taxes, and other associated responsibilities
- Policies and procedures regarding the provision of I&A services
- Policies and procedures regarding a backup plan and efforts to develop implement, and test an adequate backup plan that ensures records are preserved and fiscal functions are replicated in case of a natural disaster or state f emergency

P&P continued:

- Policies and procedures to ensure correct disbursement of pay to DSWs including identifying, reporting, and mitigating potential fraud, waste and abuse
- Policies and procedures for reporting cases of abuse, neglect and exploitation to and fraud, waste, and abuse to the state
- Policies and procedures about grievances designed to ensure DSWs can address relevant issues, such as hours paid differing from hours worked, untimely pay checks, bounced pay checks, other FMS-related issues

Information & Assistance

- ▶ Provide information, including independent resources
- ▶ Assistance in option development to expand consumer knowledge
- ▶ Assistance with arranging for, directing, and managing services.
- ▶ Practical Skills Training
 - Recruit
 - Hire
 - Effective Communication & Problem-Solving

I & A Duties

- ▶ Overlap information provided by MCO Care Coordinator or Targeted Case Management
- ▶ No involvement in service plan development
- ▶ Use “Self-Direction Tool Kit” resource

I & A

▶ Information & Assistance Examples:

- Person Centered Planning
- Consumer Choice and Options
- Plan of Care Changes
- Appeals and Grievance
- Risks and Responsibilities
- Provider Choice
- Reassessment

I & A Resources

▶ Education information/materials

- Medicaid programs
- Participant-direction
- Service provider requirements
- Employer/Employee Agreements
- Authenticare System
- Abuse, Neglect, Exploitation

Employer-Related I & A

- ▶ Ensure participant understand responsibilities
 - Role as employer
 - Explanation of FMS Service Agreement
 - Wage Establishment
 - Provider Selection
 - Human Resources and Payroll Documentation Completion
 - Employment Verification
 - Employment Service Agreement

I & A Assistance

- ▶ Assistance with:
 - Service goals, needs, and resources definition
 - Identify and access services and supports
 - Practical Management Skills Training
 - Recognize and report critical events
 - Risk Management Agreements

I & A Referrals

- MCO Care Coordinator/ Target Case Management
- KanCare Ombudsman
- State Agencies
- Assessing Entities
- Community Supports
- Support Groups

Roles and Responsibilities

- ▶ FMS is Fiscal Employer Agent (FE/A)
 - Administrative tasks
 - Information and assistance (IA)

Participant Direction

- ▶ Assure the direct service worker accurately and consistently uses the AuthentiCare system
- ▶ Assist consumer with receiving initial/ongoing employer related training, to assist participants with independently directing and managing workers
- ▶ Assist consumer with understanding of process for reporting work related injuries incurred by direct service worker to the FMS provider

Participant Direction

- ▶ Assist consumer with understanding that a dismissal of a direct service worker must be reported to FMS within 3 working days
- ▶ Assist consumer with understanding that changes in address telephone number or hospitalization of direct service worker should be reported to FMS within 3 working days

FMS Roles and Responsibilities

- ▶ Assisting consumer with obtaining Federal Employer Identification Number (FEIN)
- ▶ Consult with consumer to set the wage for the direct service worker
 - FMS provider will assist consumer with understanding of how to set wage
 - Consumer will be responsible for determining wage for the direct service worker

FMS Roles and Responsibilities

- ▶ Processing termination paperwork when the consumer chooses to no longer employ direct service worker
- ▶ Collect assigned consumer's portion of the client obligation from the consumer
 - May not utilize Medicaid dollars to cover the client's obligation
 - FMS provider will notify the MCO within 30 days of unpaid client obligation

FMS Administrative Role

- ▶ FMS provider will be responsible for administrative functions including...
 - Verification/processing of time worked
 - Preparation/disbursement of direct service worker payroll
 - Establish FMS employer agreements
 - Receive/disburse Medicaid funds
 - Ensure proper/appropriate background checks are conducted on all individuals in accordance with program requirements/state policy
 - Ensure the participants follow the pay rate procedures as established by the state of Kansas when setting direct service workers' pay rate

FMS Administrative Role

- ▶ Payroll processing
 - Process and distribute direct service workers' payroll
 - Withhold all required state, federal, and local taxes
- ▶ Broker worker's compensation insurance for consumers in accordance with Kansas worker compensation insurance law

Questions?

- ▶ FMS Manual:

http://www.aging.ks.gov/HCBSPProvider/Documents/2015_04_10_6-5_FMS_Manual.pdf

- ▶ Q&A:

http://www.aging.ks.gov/HCBSPProvider/Documents/FINAL_FMS_Clarification_Memo_%201_14_15.pdf

- ▶ FAQ:

http://www.aging.ks.gov/PolicyInfo_and_Regs/Pls/DraftPolicies/KDADS_FMS_Manual_QA_04-17-15.pdf

Questions?